

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

Filing Date: Herewith

Applicant: Clifford C. Bampton et al.

Group Art Unit:

Examiner:

Title: OXIDATION RESISTANT AND BURN RESISTANT
COPPER METAL MATRIX COMPOSITES

Attorney Docket: 7784-000241/CPA

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. COPIES

A. _____ Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. X Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number
09/948,170

U.S. Filing Date
September 6, 2001

C. X Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form 1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form 1449 are enclosed herewith.

D. ____ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. X Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. ____ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. ____ See the attached foreign patent office communication from a counterpart foreign application:
2. ____ English translations are provided:
3. ____ Other:

C. ____ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. X The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.
09/948,170

Filing Date
9/6/2001

Art Unit
1742

V. THIS IDS IS BEING FILED UNDER

A. ____ **37 C.F.R. § 1.97(b):** (check only one box)

1. X within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. ____ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. ____ before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. ____ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. ____ **37 C.F.R. § 1.97(c):** (check only one box)

before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ____ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

2. ____ See the certification below. No fee is required.

C. ____ **37 C.F.R. § 1.97(d):**

after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ____ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. **CERTIFICATION UNDER 37 C.F.R. § 1.97(e):** (check only one box)

The undersigned hereby certifies that:

A. ____ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. § 1.704(d) below in section VII, if applicable; or

B. ____ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ____ Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 CFR 1.704(d)

The undersigned hereby states that:

____ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

A. ____ A check in the amount of \$180.00 is enclosed for the above-identified fee.

B. ____ Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: 12/10/03

By: 

Michael E. Taylor
Reg. No. 50,521

HARNESS, DICKEY & PIERCE, P.L.C.
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Bloomfield Hills, Michigan 48303
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MLT/lki

FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 1 of 3	ATTORNEY DOCKET NO.	SERIAL NO.
	7784-000241/CPA	Not yet assigned
	APPLICANT	
	Clifford C. Bampton	
	FILING DATE	GROUP
	Herewith	Not yet assigned

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		Re. 4,045	6/1870	Ashcroft		
2.		Re. 35,521	5/1997	Mizuhara		
3.		306,781	10/1884	Shaw		
4.		1,510,242	9/1924	Pacz		
5.		1,850,416	3/1932	Russell		
6.		2,027,750	1/1936	Munson et al.		
7.		3,259,491	7/1966	Pryor		
8.		3,993,479	11/1976	Cheskis et al.		
9.		4,071,359	1/1978	Cheskis et al.		
10.		4,378,332	3/1983	Chang et al.		
11.		4,555,272	11/1985	Ashok et al.		
12.		4,661,178	4/1987	Ashok et al.		
13.		4,715,910	12/1987	Mandigo et al.		
14.		4,717,539	1/1988	Morisey		
15.		4,810,591	3/1989	Sakai		
16.		5,004,581	4/1991	Takagi et al.		
17.		5,087,416	2/1992	Mizuhara		
18.		5,114,468	5/1992	Akutsu et al.		
19.		5,306,465	4/1994	Caron et al.		
20.		5,322,109	6/1994	Cornie		
21.		5,370,840	12/1994	Caron et al.		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM HDP-1449 (Based on Form PTO-1449) PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) Sheet 2 of 3	ATTORNEY DOCKET NO.	SERIAL NO.
	7784-000241/CPA	Not yet assigned
	APPLICANT	
	Clifford C. Bampton	
	FILING DATE	GROUP
	Herewith	Not yet assigned

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
22.		5,468,310	11/1995	Fujiki et al.		
23.		5,477,905	12/1995	Knapp et al.		
24.		5,553,658	9/1996	Cornie		
25.		5,565,045	10/1996	Caron et al.		
26.		5,730,915	3/1998	Cornie		
27.		5,937,932	8/1999	Cornie		
28.		5,983,973	11/1999	Cornie		
29.		6,037,067	3/2000	Fujiki et al.		
30.		6,096,142	8/2000	Kano et al.		
31.		6,148,899	11/2000	Cornie et al.		
32.		6,165,246	12/2000	Kira et al.		
33.		6,318,442	11/2001	Cornie		
34.		6,360,809	3/2002	Cornie et al.		
35.		6,502,623	1/2003	Schmitt		

FOREIGN PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes No
1.		JP 4131339	5/1992	Japan		
2.		JP 7150273	6/1995	Japan		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<p>FORM HDP-1449 (Based on Form PTO-1449)</p> <p>PATENT AND TRADEMARK OFFICE</p> <p>INFORMATION DISCLOSURE CITATION</p> <p>(Use several sheets if necessary)</p> <p>Sheet 3 of 3</p>	ATTORNEY DOCKET NO.	SERIAL No.
	7784-000241/CPA	Not yet assigned
	APPLICANT	
	Clifford C. Bampton	
	FILING DATE	GROUP
Herewith	Not yet assigned	

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		
Ref. Desig.	Examiner's Initials	
1.		U. Ramamurty, F.W. Zok, F.A. Leckie and H.E. Deve, "Strength Variability In Alumina Fiber-Reinforced Aluminum Matrix Composites", Elsevier Science Ltd., Vol. 45, No. 11, 1997, pp. 4603-4613
2.		J.D. Verhoeven, F.A. Schmidt, E.D. Gibson and W.A. Spitzig, "Copper-Refractory Metal Alloys", Journal of Metals, September, 1996, pp. 20-24
3.		K.T. Chiang, K.J. Kallenborn, J.L. Yuen and N.E. Paton, "Oxidation Behavior of Cu-Nb Microcomposites", Materials Science and Engineering A156 1992, pp. 85-90
4.		David L. Ellis and David L. McDaniels, "Thermal Conductivity and Thermal Expansion of Graphite Fiber-Reinforced Copper Matrix Composites", Metallurgical Transactions A, Vol. 24A, January 1993, pp. 43-52

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.